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PTO/SB/21 (09-04)

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

28

Application Number

10/777,382

Filing Date

February 11, 2004

First Named Inventor

Santiago Rodriguez

Art Unit

2191

Examiner Name

BRASE, Sandra L.

Attorney Docket Number

200311748-1**ENCLOSURES (Check all that apply)**

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): 1. Response to Notice of Non-Compliant Amendment 2. Replacement Sheet for Fig. 3 3. Copy of Notice of Non-Compliant Amendment 4. Return Receipt Postcard
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Rader, Fishman & Grauer PLLC		
Signature			
Printed name	Steven L. Nichols		
Date	October 5, 2005	Reg. No.	40,326

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:	
Signature	
Typed or printed name	Rebecca R. Schow
Date	October 5, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Patent Application of

Santiago Rodriguez

Application No. 10/777,382

Filed: **February 11, 2004**

For: Method of Detecting a Rotation of
Print Cartridge Components

Group Art Unit: 2852

Examiner: BRASE, Sandra L.

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

In response to a non-final Official Action mailed on June 21, 2005, Applicant filed an amendment with the US Patent & Trademark Office on September 15, 2005. In response to the Applicant's amendment of September 15, 2005, a Notice of Non-Compliant Amendment under 37 C.F.R. 1.121 was issued by the USPTO.

While the reason the amendment was held non-compliant is not clear from the Notice, as best Applicant can determine, the Office objects to the inclusion of a corrected drawing in the amendment that was not labeled in the top margin as an "Annotated Sheet." As part of the amendment of September 15, 2005, Applicant made corrections to Fig. 3. Applicant had included a copy of the corrected drawing in the body of the response in connection with a description of the changes being made. This was intended merely as part of the body of the

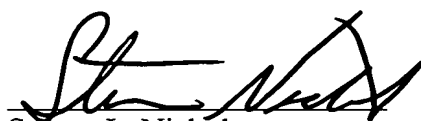
amendment and not as an annotated drawing sheet. A "Replacement Sheet" bearing the corrected Fig. 3 was also filed and properly labeled.

To advance the prosecution of this application, Applicant files herewith the amendment of September 15, 2005, in which the illustration of Fig. 3, supporting the description of changes made to the drawing, has been removed. Consequently, the amendment is now believed to be in compliance with 37 C.F.R. 1.121. Along with this response the Applicant also re-files a Replacement Sheet for Fig. 3 and a copy of the Notice of Non-Compliant Amendment.

Applicant's amendment of September 15, 2005 was clearly a *bona fide* attempt to respond to the Office Action of June 21, 2005. Therefore, no fees are believed to be necessary in connection with this paper. However, if any fees are owed in connection with this paper, authorization is hereby given to charge those fees to deposit account number 08-2025 in the name of Hewlett-Packard Company.

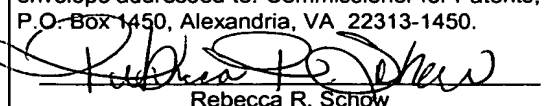
Respectfully submitted,

DATE: 4 October 2005



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Registration No. 40,326

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<p align="center">CERTIFICATE OF MAILING</p> <p>DATE OF DEPOSIT: <u>October 4, 2005</u></p> <p>I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail on the date indicated above in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.</p>  <p align="center">Rebecca R. Schow</p>



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/777,382 ✓	02/11/2004 ✓	Santiago Rodriguez	200311748-1 ✓	4602 ✓

22879 7590 09/23/2005

HEWLETT PACKARD COMPANY
P O BOX 272400, 3404 E. HARMONY ROAD
INTELLECTUAL PROPERTY ADMINISTRATION
FORT COLLINS, CO 80527-2400**HP LEGAL**
IPA

EXAMINER

BRASE, SANDRA L

ART UNIT	PAPER NUMBER
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2852

DATE MAILED: 09/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

US ACTION _____
DUE DATE _____
Paper Dated _____
OA _____ Final _____
Msg. Pl. _____ Dwgs _____
Appeal _____ Issue Fee _____
Othe *Non-compliant amend*

**Notice of Non-Compliant
Amendment (37 CFR 1.121)**

Application No.

10/777,382

Applicant(s)

Rodriguez

Examiner

Brase

Art Unit

2852

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

The amendment document filed on 09-15-2005 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121. In order for the amendment document to be compliant, correction of the following item(s) is required.

THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
 - ☐ A. Amended paragraph(s) do not include markings.
 - ☐ B. New paragraph(s) should not be underlined.
 - ☐ C. Other _____.
- ☐ 2. Abstract:
 - ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
 - ☐ B. Other _____.
- ☒ 3. Amendments to the drawings:
 - ☒ A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
 - ☐ B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
 - ☐ C. Other _____.
- ☐ 4. Amendments to the claims:
 - ☐ A. A complete listing of all of the claims is not present.
 - ☐ B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
 - ☐ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
 - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
 - ☐ E. Other: _____.

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/officeflyer.pdf>.

TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:

1. Applicant is given **no new time period** if the non-compliant amendment is an after-final amendment or an amendment filed after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the **entire corrected amendment** must be resubmitted within the time period set forth in the final Office action.
2. Applicant is given **one month**, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the **corrected section** of the non-compliant amendment in compliance with 37 CFR 1.121, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a *Quayle* action.

Extensions of time are available under 37 CFR 1.136(a) **only** if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action.

Failure to timely respond to this notice will result in:

Abandonment of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action; or
Non-entry of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.

L. Spruell
Legal Instruments Examiner (LIE)

571-272-1623
Telephone No.